

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

HENROB LIMITED,

Plaintiff/Counter-Defendant,

v.

Case No. 05-CV-73214-DT

BÖLLHOFF SYSTEMTECHNICK GMBH & CO
BÖLLHOFF RIVNUT, INC.,
BAYERISCHE MOTOREN WERKE AG, BMW NA,
ROLLS-ROYCE MOTOR CARS LTD.
and ROLLSS-ROYCE NA,

Defendants/Counter-Plaintiffs.

/

ORDER DENYING MOTION FOR LIMITED DISCOVERY

On November 6, 2007, the court conducted a telephonic motion hearing on the “Motion for . . . Limited Discovery . . . ,” filed by Defendants Böllhoff Systemtechnik GmbH & Co., and Böllhoff Rivnut, Inc. (collectively “Böllhoff”). For the reasons stated on the record,

IT IS ORDERED that Böllhoff’s “Motion for . . . Limited Discovery . . . ” [Dkt. # 141] is DENIED. Böllhoff has not shown good cause to amend the court’s previously imposed schedule in order to allow additional discovery in further support of Böllhoff’s own summary judgment motion. Given the relatively unusual procedural posture of the case, the type of discovery sought, and the fact that reply briefs are, in any event, optional under the local rules, the court is not persuaded that further discovery, however targeted, is warranted prior to the filing of Böllhoff’s reply brief.

IT IS FURTHER ORDERED that Böllhoff's's combined reply brief in further support of its motion for summary judgment and response to Henrob Limited's ("Henrob's") cross-motion for partial summary judgment will be filed on or before **November 12, 2007** and shall be limited to twenty-five pages in length. Henrob shall file its reply in further support of its cross-motion on or before **November 19, 2007**. The court will conduct a hearing on Böllhoff's's motion for summary judgment and Henrob's cross-motion for partial summary judgment [Dkt. ## 91 & 130] on **December 5, 2007 at 2:00 p.m.**¹ Unless otherwise ordered, the court will not conduct a hearing on Henrob's motion for judgment on the '127 patent [Dkt. # 139].²

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: November 8, 2007

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, November 8, 2007, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522

¹The parties should be aware that hearings are not guaranteed, and the court commonly cancels hearings when it is determined that the issues can be decided on the briefs. See E.D. Mich. LR 7.1(e)(2).

²Counsel should refer to the local rules for the briefing deadlines for the motion for judgment.